

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,)

Plaintiff)

vs.)

Civil No. 05-CV-11421-RCL

JOSEPH MOUJABBER, Executor)
of the Estate of Douglas Abdelnour,)

Defendant)

DEFENDANT’S MOTION FOR PROTECTIVE ORDER

Defendant, Joseph Moujabber, Executor of the Estate of Douglas Abdelnour (hereafter “Defendant”), moves this Honorable Court for a protective order limiting the Edgartown National Bank of 2 South Water Street, Edgartown, Massachusetts, from having to produce certain of the documents listed in Plaintiff’s Subpoena Attachment A on February 22, 2008. As grounds for his motion, Defendant states as follows:

1. The above captioned suit was brought by the Plaintiff against Douglas Abdelnour (deceased) for federal tax liability recognized as of December 31, 1992.
2. In its subpoena to the Edgartown National Bank, Plaintiff is seeking “(a) any accounts (loan, credit, deposit, checking or any other kind) in the name of Douglas Island Development Corporation” from 1990 to present.
3. On or about June 28, 1992, Douglas Abdelnour (deceased) transferred 100% of the stock in Douglas Island Development Corporation to Joseph Moujabber for adequate consideration.
4. After Douglas Abdelnour (deceased) transferred said stock, he had no interest in Douglas Island Development Corporation and received no direct benefit from it.

5. Defendant does not seek the Court's protection for Douglas Island Development

Corporation documents held by the Edgartown National Bank dated on or before June 27, 1992.

Defendant, Joseph Moujabber,
Executor of the Estate of Douglas Abdelnour
by his attorneys,

/s/ John F. Whiteside, Jr.
John F. Whiteside, Jr., BBO# 646541
Gregory J. Koldys, BBO #276840
MICKELSON ♦ BARNET, P.C.
30 Cornell Street
New Bedford, MA 02740
Telephone (508) 993-8800
jfw@mickelsonbarnet.com

Dated: February 28, 2008

Defendant's counsel certifies that the parties have conferred and have attempted in good faith to resolve or narrow the issue of limiting the Edgartown National Bank of 2 South Water Street, Edgartown, Massachusetts, from having to produce certain of the documents listed in Plaintiff's Subpoena Attachment A on February 22, 2008 but the parties were unable to resolve the issue without court action.

/s/ John F. Whiteside, Jr.
John F. Whiteside, Jr., BBO# 646541

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will sent to those indicated as non-registered participants on February 28, 2008.

/s/ John F. Whiteside, Jr.
John F. Whiteside, Jr. (BBO# 646541)